PROGRESS REPORT TO THE BERNARDS TOWNSHIP COMMITTEE BY THE UTILITY ADVISORY TASK FORCE

Members:

Scott Guibord, Chair and Resident Member
Todd Edelstein, Resident Member
Michael Estrin, Resident Member
Corey Fischer, Resident Member
Donna Romano, Resident Member
Priti Shah, Resident Member
Janice Fields, Township Committee Liaison
Pat Monaco, Township Administrator
John Neiman, OEM Representative

Approved by the Resident Members: June 23, 2021

I. Introduction.

Pursuant to the Bernards Township Committee ("TC") Resolution #2020-0297 (9/29/2021) - Establishment of a Utility Advisory Task Force ("Task Force"), the mission of the Task Force is to:

> assess the level of communication and service from the utility companies providing services to Bernards Township, identify areas of concern and in need of improvement, suggest ways to collect and report chronic outages and disruptions, facilitate and/or coordinate resident feedback to the Board of Public Utilities, and represent Bernards Township customers before the BPU when appropriate.

On January 5, 2021 the TC appointed the Members of the Task Force and, due to conflicting commitments, Members Michael Conley (replaced by Michael Estrin) and Michael Robina resigned. The Task Force met monthly and the meeting attendance was outstanding. With the exception of one Resident Member unable to attend one meeting, every Resident Member attended every meeting. Between meetings, the Resident Members were in constant communication with one another, completing their assignments and the work of the Task Force.

II. Meeting Activity and Progress

1. The January 20, 2021 Meeting

At its first meeting held on January 20,2021, the Task Force identified the utility companies to be assessed. Among other things, the Task Force recognized that as a result of the corona virus pandemic, the internet has become, and will forever remain, a fundamental and critical pathway for teaching our children, conducting our work and businesses, obtaining our goods and services and generally socializing and communicating. Consequently, after discussing known issues and concerns, the Task Force chose Altice USA/Optimum ("Optimum") internet service as the first utility service to assess in Bernards Township (the "Township"), and committed to develop a survey ("Resident Survey") to assist in the assessment. A copy of the January 20 meeting minutes is attached as Exhibit 1.

2. The February 17, 2021 Meeting

At its February meeting, the Task Force reviewed the status of, and communications with, Optimum with respect to upgrading internet service in the Hills, and set forth in detail the particulars and logistics of the Resident Survey. The Task Force also identified the need to review utility reliability, maintenance and infrastructure plans for the Township ("Utility Plan") and to have utility representatives report on their Utility Plan at future meetings. A copy of the February17 meeting minutes is attached as Exhibit 2.

3. The March 17, 2021 Meeting

At its March meeting, Bob Flynn, Regional External Affairs representative of Jersey Central Power & Light Company ("JCP&L") gave a PowerPoint presentation on JCP&L's Utility Plan. The Task Force then discussed the five-hour March 16th hearing held by the New Jersey Board of Public Utilities ("NJBPU") investigating the operations of Optimum in New Jersey and associated customer complaints; and reviewed the status of Optimum's internet

service upgrades in The Hills and the status, details and distribution logistics of the Resident Survey. Due to Homeland Security concerns regarding electric utility system sabotage, Mr. Flynn could not provide a copy of the JCP&L PowerPoint presentation. A copy of the NJBPU's March 15, 2021 and April 27, 2021 Optimum Orders are attached as Exhibit 3 and Exhibit 4, respectively. A copy of the March meeting minutes is attached as Exhibit 5.

4. The April 21, 2021 Meeting

At its April meeting, Mike Malloy, Sr. Superintendent, Operations of New Jersey American Water Company ("NJAWC") gave a PowerPoint presentation on NJAWC's Utility Plan. The Task Force then reviewed the status of Optimum's internet service upgrades in The Hills and the status, details and distribution logistics of the upcoming Resident Survey that Mayor Fields reported had been reviewed by the TC. A copy of the NJAWC PowerPoint presentation is attached as Exhibit 6. A copy of the April meeting minutes is attached as Exhibit 7.

5. The May 19, 2021 Meeting

At its May meeting, Tom Timko, Township Engineer and Director of the Township Sewerage Authority gave a presentation on the Sewerage Authority's Utility Plan. The Task Force, being advised that Optimum's internet service upgrades in The Hills were completed on May 13, reviewed the details, distribution logistics and publication venues for the Resident Survey which was ready for distribution. A copy of the May meeting minutes is attached as Exhibit 8.

Subsequent to the May 19 meeting, the Resident Survey was announced and publicized through the following venues (copies attached as Exhibit 9):

- Bernards Township Website
- Rave
- Facebook
- Bernards Township School District Friday Folders
- The Bernardsville News
- The Hills Highlands Community Bulletin
- TAPinto Basking Ridge
- Basking Ridge Moms
- WhatsApp
- Basking Ridge Patch

6. The June 23, 2021 Meeting

At its June meeting, the Task Force reviewed the survey results and developed a detailed diagram and methodology for analyzing the 471 responses to the Resident Survey, which was now closed. The Task Force also reviewed and approved this report to the TC. The June meeting minutes will be submitted to the Task Force for approval at its July 21 meeting.

The Resident Survey remained open for three weeks during which time 471 survey responses were received. The Task Force is now in the process of analyzing the responses to the Resident Survey. Once that is done, the Task Force will report any findings and recommendations on internet service, and on any other utility service, to the TC.

Exhibit 1

January 21, 2021 Meeting Minutes

UTILITY ADVISORY TASK FORCE
Meeting Minutes
January 20, 2021 - 7:00 PM
Warren Craft Meeting Room

Present: Conley, Edelstein, Fields, Fisher, Guibord, Neiman, Romano, Shah
Absent: Monaco, Robina

1. Flag Salute

2. Mayor's Welcome
Mayor Fields welcomed the Task Force members.

3. Task Force Governance
Mr. Guibord will be the Task Force Chairman and Mayor Fields is the Township Committee liaison.

4. Member Self Introductions
The members introduced themselves and briefly described their backgrounds and Task Force interests.

5. Task Force Mission and Discussion
Chairman Guibord read the Utility Advisory Task Force mission statement as set forth in the Township Committee resolution establishing the Task Force, and opened up discussion on achieving that mission. The members identified the utility companies to be assessed as including JCP&L, Verizon, Altice/Optimum, PSE&G and NJ American Water. The members then discussed the utility companies generally and identified some known issues and concerns. After discussion, upon motion made and seconded, the Task Force unanimously agreed that its first assessment would be of Optimum's internet service. Ms. Shah suggested collecting Optimum service, speed, outage and other relevant data from residents to identify any level-of-service issues. The Task Force by emails will create a survey to facilitate this.

Mayor Fields and Mr. Neiman identified some of the Township's utility contacts and discussed some of the mechanisms and communication channels in place to address utility outages and service issues. Mayor Fields offered to arrange for utility representatives to make meeting presentations to the Task Force if requested. She suggested the Task Force contact other towns to see what they are doing to address utility service issues. The members discussed other information that would be useful in achieving its mission, such as outage statistics and data from the utilities, including the frequency and duration of outages and their plans for maintenance, infrastructure and service improvements in the Township. The members discussed JCP&L's manner of providing outage restoration times and estimates and ways in which that might be improved. Mr. Edelstein reported that PSE&G will be installing smart meters that will enable PSE&G to remotely detect outages and service restorations. The members discussed the concept of introducing competition to improve the level of utility service,

noting that this is not practical for water, gas and electric utilities but could work for internet and cable providers. The members agreed that residents should receive the level of service they are paying for, whether or not their utility has a competitor.

6. February Meeting Agenda

Chairman Guibord requested that each member email him two or three priority items they would like addressed at future meetings.

7. Adjournment

The meeting adjourned at 8:30 PM.

Exhibit 2

February 17, 2021 Meeting Minutes

UTILITY ADVISORY TASK FORCE
Meeting Minutes
February 17, 2021 - 7:00 PM
Warren Craft Meeting Room

Present: Edelstein, Estrin, Fischer, Guibord, Neiman, Robina (by cell phone), Romano, Shah
Absent: Fields, Monaco

1. **Flag Salute**

2. **Change in Membership**

Chairman Guibord reported that Mr. Conley resigned from the Task Force due to commitment conflicts and that Mr. Estrin was appointed by the Township Committee to fill Mr. Conley's unexpired term.

3. **Approval of Minutes**
The January 20, 2021 meeting minutes were approved as submitted.

4. **OLD BUSINESS**

   a. **Altice USA/Optimum Communications**
   Chairman Guibord reported that on February 9th Altice advised that they are performing internet upgrades in The Hills which they project to be completed in three weeks (around March 2nd). He said that Mayor Fields and Bedminster Mayor Jacobs have jointly conveyed the urgency of the situation to Altice. Mr. Estrin pointed out that there is a secondary issue with the copper couplings on cables and that Altice needs to get permission from the Hills Condominium Association before they can work on them. He said that there are approximately 22 sub-condominium associations within the Hills Development. Ms. Shah commented that her association does not hinder work like this.

   b. **Resident Survey**
      i. **Logistics**
      The members complimented Mr. Fisher for all of his work on the survey. They discussed the required fields in the survey and the opportunity for residents to provide detailed/technical information in their responses. The contact information for the internet service providers will be added to the survey, as well as a field to allow residents to provide their contact information. The survey responses may be solicited by zip code so as to only capture data for Bernards Township residents. Mr. Fisher said that the survey form will automatically populate an Excel Spread Sheet with the residents' responses for analysis by the Task Force. The plan is to send out the survey one week after Altice notifies the

Township that the Hills internet upgrades have been completed, and to close the survey two weeks later for discussion at the April 21st Task Force meeting. Mr. Fisher will finalize the survey and email the survey link to members to perform a test run. Once final, he and Chairman Guibord will contact Mayor Fields and the Township IT staff to determine the method for sending it out to residents.

ii. News Release

Mr. Robina reviewed the News Release that he drafted for publication once the survey is sent out. Ms. Shah recommended the News Release be posted on various social media sites and Mr. Edelstein proposed publication in local newspapers, Patch, Tap into Basking Ridge and community boards within The Hills.

5. **NEW BUSINESS**

a. Utility Maintenance and Infrastructure Plans

Ms. Romano discussed the benefit of the Task Force reviewing utility maintenance and infrastructure plans. Mr. Neiman will request these plans from the utility representatives and circulate them to the members. He reported that the JCP&L representative has offered to attend a Task Force meeting to discuss maintenance plans and projected upgrades in the Township. When requested, Mr. Neiman will schedule these future meetings in coordination with Mayor Fields.

b. Task Force Email Account For Receiving Public Input

Mr. Robina suggested setting up an email account for receiving public input if the survey does not produce the desired results. Mr. Estrin added that an email account could also be used for an exit survey or follow up for the Township Committee after the Task Force completes its work.

6. **Public Comment**

None

7. **March Meeting Agenda**

Ms. Romano suggested collecting questions a week in advance of JCP&L's visit to a future Task Force meeting. Mr. Neiman requested that Task Force members email him any questions they would like answered by utility representatives.

8. **Comments by Members**

Ms. Shah and Mr. Fisher discussed potential distribution methods for the survey, including the Township website.

9. **Adjournment**

The meeting adjourned at 8:08 PM.

Exhibit 3

NJBPU March 15, 2021 Order

STATE OF NEW JERSEY

Board of Public Utilities
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Post Office Box 350
Trenton, New Jersey 08625-0350
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OFFICE OF CABLE TELEVISION
AND TELECOMMUNICATIONS

IN THE MATTER OF REQUESTS FOR AN INVESTIGATION INTO THE OPERATIONS OF ALTICE USA IN NEW JERSEY	))))	ORDER ON MOTIONS TO INTERVENE OR PARTICIPATE DOCKET NO. CX21020139

Parties of Record:

Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel
Elissa Grodd Schragger, Esq., Director of Law and Township Attorney, Hamilton Township
Ronald A. Berutti, Esq., Weiner Law Group, LLP, on behalf of the Borough of Sayreville
Jean L. Cipriani, Esq., Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., on behalf of the Borough of Seaside Park
Dawn M. Sullivan, Esq., Dorsey & Semrau, on behalf of the Township of West Milford
Anthony R. Francioso, Esq., Fornaro Francioso LLC, on behalf of the Township of Robbinsville
Gerard Lederer, Esq., Best Best & Kriegler LLP, on behalf of the Township of Piscataway
Jean L. Cipriani, Esq., Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., on behalf of the Borough of Seaside Heights
Fred Semrau, Esq., Dorsey & Semrau, on behalf of the Township of Montville
Gregory P. McGuckin, Esq., Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors, on behalf of the Township of Toms River
Andrew Bayer, Esq., Pashman Stein Walder Hayden, PC, on behalf of the Township of Howell

BY COMMISSONER MARY-ANNA HOLDEN:

On February 17, 2021 the New Jersey Board of Public Utilities ("Board") found that there was sufficient cause to convene a proceeding to afford certain municipal officials and Altice USA ("Altice") customers the opportunity to voice their concerns about the services received from Altice; and to afford Altice the opportunity to respond to these concerns before determining what corrective action may be warranted and should be taken.[1] In compliance with the Order, each of the above named parties have submitted Motions for Intervention and/or Participation in this matter (each is a "Petition", collectively, the "Petitions").

[1] In the Matter of Requests for an Investigation into the Operations of Altice USA in New Jersey, BPU Docket No. CX21020139, Order dated February 17, 2021 ("Order").

The Board and the Office of Cable Television and Communications (OCTV&T) have received complaints and resolutions from at least ten (10) municipalities and several state legislators concerning various issues their residents and constituents cited alleging inadequacy and lack of service provided by Altice. In the complaints, the municipal and legislative officials have requested that the Board initiate an investigation into the adequacy of service provided by Altice and seek a determination whether the company has complied with its obligations under applicable Federal and State laws, rules and regulations which set forth technical and customer service standards established for cable television providers.

Citing issues raised by their respective residents concerning frequent and lengthy service disruptions (across all services), inconsistent connections and fluctuating Internet speeds, long telephone wait times, poor customer service, and an inability to get a satisfactory response to these issues from the company both before and after the COVID-19 pandemic, the municipalities collectively maintain that Altice has failed in its duty to provide safe, adequate, and proper service to their residents. The Board and the OCTV&T have also received complaints directly from Altice customers concerning the same grievances presented by the municipalities.

MOTIONS TO INTERVENE AND PARTICIPATE

The following motions were filed in this matter:

1. Motion to Intervene filed on behalf of the Township of Robbinsville, Borough of Seaside Heights, Borough of Seaside Park;

2. Motion to Intervene and Participate filed on behalf of Hamilton Township, and Township of Montville;

3. Motion to Intervene or Participate filed on behalf of the Township of Howell; and

4. Motion to Participate filed on behalf of the Borough of Sayreville, Township of West Milford, Township of Piscataway, Township of Toms River (collectively, the "Municipalities");

Municipalities' Motion to Intervene

Hamilton Township

On February 26, 2021, the Township of Hamilton ("Hamilton" "Township") filed a Motion to Intervene and Participate. In support of its motion, the Township refers to "myriad complaints and pleas" from residents who wish to address their concerns regarding Altice's service delivery in Hamilton Township. The Township "has expended considerable resources handling the level of resident complaints" to date, and seeks a remedy from the Board that would rectify what Hamilton perceives to be an "intolerable situation."

Most Hamilton residents have only Altice to turn to for cable service. Without an alternative, the Township writes, there is no market competition, so regulatory protection is "the only hope" available to Township residents who wish to remedy the alleged failure to provide adequate service.

The Township asserts that if it is permitted to participate, the Township's addition "will not and has not caused undo delay or confusion." Hamilton states it will add constructively to the case and to the Board's understanding of the matter.

Township of Howell

On February 26, 2021, Township of Howell ("Howell") filed a Motion to Intervene or Participate in this matter. The Township has experienced voluminous customer complaints from Township residents regarding Altice's internet and cable service, as well as its customer service. These complaints were exacerbated during the COVID-19 pandemic, when most residents are working from home and attending school remotely. Residents have reported frequent and lengthy service disruptions, long telephone wait times, and unsatisfactory responses regarding same from Altice. Consequently, Howell adopted a Resolution seeking Board action.

In its filing Howell contends Altice is the only available cable provider for the majority of Howell residents. In the modern era, cable and internet services are "essential [to] everyday life for the Township's residents," many of whom rely on such services in order to attend virtual classrooms for their education, or to work. Howell petitions that without an additional market participant with a cable franchise in the municipality, the only avenue through which residents may seek relief is if the Board exercises regulatory oversight. To support its motion Howell asserts that the residents are specifically and directly affected by the outcome of this proceeding.

Township of Montville

On February 26, 2021, the Township of Montville ("Montville") filed a Motion to Intervene and Participate. Montville references its November 17, 2020 letter to Board President Joseph L. Fiordaliso, which was part of the record upon which the Board issued its February 17, 2021 Order (the "February 17 Order") directing that a hearing be held on the instant matter.

In support of its motion Montville noted they have "received numerous complaints and pleas for assistance from Montville's residents" in connection with Altice's service delivery. In addition, because Altice "has a veritable monopoly on [internet service] . . . its good service, or lack thereof, is of special concern particularly in the pandemic when so many [Montville] residents are working and attending school from home via internet."

Montville has compiled the many complaints it has received, and expended considerable resources, and asserts that its municipal officers and governing body members are well suited to represent the interests of all Montville residents who have "differing but overall similar complaints" regarding Altice in this matter. Montville affirms that it was one of the first parties to petition the Board with complaints in this matter, and that its participation will not cause undue delay or confusion.

Township of Robbinsville

On February 26, 2021, the Township of Robbinsville filed a Motion to Intervene in this matter. Through counsel, Robbinsville notes that Altice USA was the subject of complaints filed with the Board "alleging inadequacy and lack of service." Robbinsville notes its prior "request for investigation" of Altice's operations within the State of New Jersey, and asserts that it is "entitled by statute to Intervene alone or jointly with another municipality.

Borough of Seaside Heights

On February 26, 2021, Borough of Seaside Heights ("Seaside Heights") filed a Motion to Intervene. Seaside Heights' Borough Council and Borough cite employees have received numerous complaints from residents regarding Altice's service delivery within the Borough. Complaints submitted concern "lengthy service disruptions, inconsistent and increasing charges for services and equipment, unpredictable connections, fluctuating and unreliable internet speeds, inadequate and sometimes non-responsive customer service."

Indicative of the level of dissatisfaction with Altice's service delivery in Seaside Heights, on August 19, 2020 the Borough Council formed an Advisory Committee for the improvement of cable and internet services. This committee was established in an attempt to resolve the issues residents complained of, and to research options for improved broadband capacity in the Borough.

Seaside Heights supports its motion stating the need to represent the interests of the Borough due to the significant issues that have impacted service provided to its residents by Altice.

Borough of Seaside Park

On February 26, 2021, Borough of Seaside Park ("Seaside Park") filed a Motion to Intervene. Seaside Park seeks intervenor status in this matter because its municipal governing body and employees "have received numerous complaints from residents concerning the services provided by Altice USA, Inc." Seaside Park contends these complaints are voluminous and that the Borough "added a link to its website" for residents to more easily register complaints regarding Altice's service.

The complaints received and issues raised by Seaside Park include but are not limited to alleged delays in service appointments, non-responsive customer service, fluctuating and unreliable internet access, insufficient customer service, and confusing or inaccurate billing practices for seasonal services. In its Motion, the Borough attaches an exhibit in support of its claims regarding residents' complaints concerning Altice. Seaside Park contends Altice has breached its duty to provide safe, adequate and proper service. In consideration of the foregoing, the Borough of Seaside Park requests intervenor status in this matter.

Municipalities' Motion to Participate

Borough of Sayreville

On February 26, 2021, Borough of Sayreville ("Sayreville") filed a Motion to Participate, stating that the Borough has a "[s]ignificant [i]nterest in the [o]utcome of this [c]ase," and noting that the Board "specifically instituted this proceeding in order to . . . 'afford [] municipal officials [an opportunity] to voice their concerns." Altice is one of only two providers of cable and internet services with franchises permitting it to operate within Sayreville.

Sayreville contends the complaints received concern poor network connection, internet speeds, long hold times for customer service, incorrect invoices, service technicians with the inability to fix problems, prices, service interruptions as well as others.

In its motion, Sayreville asserts that it has received numerous complaints from residents regarding Altice's service delivery within the municipality to the point that the Borough's resources are "overwhelmed." Sayreville has had to dedicate "significant municipal resources" to address concerns that have been brought to its attention. Sayreville states the pandemic has exacerbated the problems with Altice. Their inability to provide adequate service has interfered with the education of school children and the ability of residents to work.

Sayreville argues that it is best positioned to consider and advocate for the most equitable and fair remedy for its residence with respect to this matter, that its request to participate comes at the onset of the case, and that it will work cooperatively with any other municipal parties to eliminate redundancy. Considering the foregoing, Sayreville argues, its participation is not likely to cause confusion or undue delay.

Township of West Milford

On February 26, 2021, Township of West Milford ("West Milford" "Township") filed a Motion to Participate. Altice USA is the sole internet and cable television services provider in the Township. The Township claims that it frequently receives complaints from residents regarding "poor internet service and poor customer service." Among the complaints the Township cites are slow internet upload and download speeds, poor network connections, hours-long hold times for customer service, inaccurate billing, and frequent service disruptions.

Since Altice is the only internet service provider in West Milford, the Township's residents must purchase internet services from Altice if they are to enjoy the benefits of modern life, including, for example, remote schooling and work during the public health emergency caused by the COVID-19 pandemic. The Township claims that it is "overwhelmed" by complaints about Altice's service provision, and that substantial municipal resources have been dedicated to address residents' concerns.

The Township asserts that it is best positioned to explain the collective impact of Altice's allegedly inadequate service delivery on behalf of its residents. Additionally, the Township is better positioned than any individual resident to contribute constructively in this matter on behalf of Altice customers in the municipality. The Township's notes that its request to participate comes at the onset of the case, and that it will work cooperatively with any other municipal parties to eliminate redundancy. West Milford states that its participation is not likely to cause confusion or undue delay.

Township of Piscataway

On February 26, 2021, Township of Piscataway ("Piscataway") filed a Motion to Participate in this matter. Piscataway's residents and governing body are "concerned that Altice has failed in its duty under N.J.S.A. 48:5A-36, to provide safe, adequate and proper service, equipment and facilities for the operation of its cable television system." Specifically, Piscataway details its difficulty in addressing a high number of complaints about Altice directed to the Township's attention. In light of the public health emergency caused by the COVID-19 pandemic, many children in the Township attend school remotely, while many adult residents work from home. The inadequate service and multiple outages experienced by residents and long wait times are issues for consideration. According to Piscataway, Altice has been unable to consistently provide adequate service, or to provide redress for the concerns and complaints of the Township's residents. Based on its motion Piscataway states that it has a significant interest in the outcome of this proceeding and will not confuse or delay the matter and will add constructively to the case.

Township of Toms River

On February 26, 2021, Township of Toms River filed a Motion to Participate, citing its contract with Altice to provide cable and internet services to residents of the Township of Toms River located on the barrier island section of the Township. Prior to and during the COVID-19 pandemic, residents of the Township of Toms River who are provided cable and internet service by Altice "constantly complained about the inadequate service provided" by the company. Since the onset of the COVID-19 pandemic, the nature of the complaints has continued to include "interrupted service [and] slow internet speeds" among other concerns. Although Toms River was not an initial party who sought review of Altice's service delivery, the Township continues to expend considerable effort seeking relief for its residents in connection with the shortcomings identified in its motion.

DISCUSSION AND FINDINGS

Motions to Intervene or Participate

In ruling on a motion to intervene, N.J.A.C. 1:1-16.3(a) requires that the decision-maker consider the following factors:

1. The nature and extent of the moving party's interest in the outcome of the case;
2. Whether that interest is sufficiently different from that of any other party so as to add measurably and constructively to the scope of the case;
3. The prospect for confusion and delay arising from inclusion of the party; and
4. Other appropriate matters.

If the standard for intervention is not met, N.J.A.C. 1:1-16.5 provides for a more limited form of involvement in the proceeding as a "participant," if, in the discretion of the trier of fact, the addition of the moving party is likely to add constructively to the case without causing undue delay or confusion. Under N.J.A.C. 1:1-16.6(c), such participation is limited to the right to argue orally, file a statement or brief, file exceptions, or all of these as determined by the trier of fact.

As the Board stated in previous proceedings, application of these standards involves an implicit balancing test. The need and desire for development of a full and complete record, which involves consideration of a diversity of interests, must be weighed against the requirements of the New Jersey Administrative Code, which recognizes the need for prompt and expeditious administrative proceedings by requiring that an interveners' interest be specific, direct and different from that of the other parties so as to add measurably and constructively to the scope of the case. See In the Matter of the Joint Petition of Public Service Electric and Gas Company and Exelon Corporation for Approval of a Change in Control, BPU Docket No. EM05020106, Order dated June 8, 2005.

After consideration of the papers submitted and given no objections were filed, I **HEREBY FIND,** pursuant to N.J.A.C. 1:1-16.3 the Townships of Robbinsville, Hamilton, Montville, and Howell, and the Boroughs of Seaside Heights and Seaside Park have satisfied the legal requirements to warrant intervention. As such, I **HEREBY FIND** that the Townships of Robbinsville, Hamilton, Montville, and Howell, and the Boroughs of Seaside Heights and Seaside Park will be directly affected by the outcome of this proceeding, and I **HEREBY GRANT** the Motions for Intervention

of the Townships of Robbinsville, Hamilton, Montville, and Howell, and the Boroughs of Seaside Heights and Seaside Park pursuant to the authority granted to me by the Board under the February 17, 2021 Order.

With regard to the Motions to Participate filed by the Townships of West Milford, Piscataway, and Toms River, and the Borough of Sayreville I **HEREBY FIND**, pursuant to N.J.A.C. 1:1-16.6(b), that the Townships of West Milford, Piscataway, and Toms River, and the Borough of Sayreville have met the standards for participation. Accordingly, I **HEREBY GRANT** the Motions to Participate of Townships of West Milford, Piscataway, and Toms River, and the Borough of Sayreville, pursuant to the authority granted to me by the Board under the February 17, 2021 Order.

This provisional ruling is subject to ratification or other alteration by the Board as it deems appropriate during the proceedings in this matter.

DATED: March 15, 2021

BY:

Mary-Anna Holden

MARY-ANNA HOLDEN
COMMISSIONER

IN THE MATTER OF REQUESTS FOR AN INVESTIGATION INTO THE OPERATIONS OF ALTICE USA IN NEW JERSEY

BPU DOCKET NO. CX21020139

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Exhibit 4

NJBPU April 27, 2021 Order

Agenda Date: 4/27/21
Agenda Item: 3A

STATE OF NEW JERSEY

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OFFICE OF CABLE TELEVISION
AND TELECOMMUNICATIONS

IN THE MATTER OF REQUESTS FOR AN INVESTIGATION INTO THE OPERATIONS OF ALTICE USA IN NEW JERSEY	)))	ORDER DOCKET NO. CX21020139

Parties of Record:

Paul Jamieson, Esq., Altice USA, Inc.
Stephanie A. Brand, Director, New Jersey Division of Rate Counsel
Elissa Grodd Schragger, Esq., Director of Law and Township Attorney, Hamilton Township
Ronald A. Berutti, Esq., Weiner Law Group, LLP, on behalf of the Borough of Sayreville
Dawn M. Sullivan, Esq., Dorsey & Semrau, on behalf of the Township of West Milford
Anthony R. Francioso, Esq., Fornaro Francioso LLC, on behalf of the Township of Robbinsville
Gerard Lederer, Esq., Best Best & Kriegler LLP, on behalf of the Township of Piscataway
Jean L. Cipriani, Esq., Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., on behalf of the Boroughs of Seaside Heights and Seaside Park
Fred Semrau, Esq., Dorsey & Semrau, on behalf of the Township of Montville
Gregory P. McGuckin, Esq., Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors, on behalf of the Township of Toms River
Andrew Bayer, Esq., Pashman Stein Walder Hayden, PC, on behalf of the Township of Howell

BY THE BOARD:

On February 17, 2021, the Board of Public Utilities ("Board") initiated an investigation[1] into the adequacy of service provided by Altice USA, Inc. ("Altice" or "the Company"). The Board and the Office of Cable Television and Telecommunications ("OCTV&T") received numerous complaints and inquiries from at least ten (10) municipalities[2] and several state legislators concerning various issues their residents and constituents are experiencing regarding the service provided by Altice, including but not limited to frequent and lengthy service disruptions (across all services), inconsistent connections and fluctuating Internet speeds, long telephone wait times, poor customer service, and an inability to receive satisfactory responses to these

[1] See *In the Matter of Request for an Investigation into the Operations of Altice USA in New Jersey,* BPU Dkt. No. CX21020139, dated February 17, 2021.
[2] Boroughs of Dunellen and Sayreville, and the Townships of Green Brook, Hamilton, Howell, Jackson, Montville, North Brunswick, Piscataway, and Robbinsville.

complaints from the company both before and after the COVID-19 pandemic. Both the customers and municipal representatives collectively maintain that Altice has failed in its duty to provide safe, adequate and proper service to their residents. The Board and the OCTV&T have also received complaints directly from Altice customers concerning the same issues presented by the municipalities.

Upon review of the many complaints from municipal and government officials requesting an investigation and intervention in this matter, the Board found sufficient cause to convene a public hearing to afford both officials and Altice customers the opportunity to voice their concerns about the services received from Altice; as well as afford the company the opportunity to respond to these concerns before determining what corrective action may be warranted and should be taken in this matter.[3]

During the public hearing conducted on March 16, 2021, over three hundred (300) participants were in attendance and approximately sixty (60) speakers expressed the varying experiences they have had regarding the services provided by Altice. Detailed encounters were provided with regard to the lack of competition, untrained customer service staff, long hold times, persistent outages, service plan coverage, inadequate repairs, non-compliance with merger conditions resulting from Altice's acquisition of Cablevision and overall dissatisfaction with the services provided.

Following the public hearing, Staff reviewed over three hundred (300) comments and/or complaints submitted by Altice customers which outlined in detail the magnitude of the issues experienced which spanned the entire footprint of the service territory covered by Altice. Said complaints concerned issues in the following categories:

Number	Type
219	No competitive option
255	Slow internet speeds
222	Not receiving the internet speed contracted
118	Service inadequacies
78	Outages
146	Equipment failure
264	Dropped or spotty service
251	High service fees
13	Unauthorized charges
104	Inability to reach a live operator
157	Extended hold times
92	Multiple technician visits
312	Other

Regulatory Authority

The overarching issue before the Board is the question of whether the Company has fulfilled its obligations under the statutes governing cable operations within the state. As provided under

[3] Pursuant to the Order issued by Presiding Commissioner Mary-Anna Holden in this matter dated March 15, 2021, the Townships of Robbinsville, Hamilton, Montville, and Howell, and the Boroughs of Seaside Heights and Seaside Park were granted Intervenor status; and the Townships of West Milford, Piscataway, and Toms River, and the Borough of Sayreville were granted Participant status in this proceeding.

N.J.S.A. 48:5A-36, it is the duty of all cable television companies to provide safe, adequate and proper service, equipment and facilities for the operation of its cable television system.

In the exercise of its authority, the Board, and the Director of the OCTV&T, pursuant to N.J.S.A. 48:5A-9, have authority and jurisdiction including but not limited to:

a. Receive or initiate complaints of the alleged violation of any of the provisions of the Cable Television Act ("Act") N.J.S.A. 48:5A-1 *et seq.*, or any of the rules and regulations made pursuant to the Act or of the terms and conditions of any municipal consent granted pursuant to the Act; and for this purpose and all other purposes necessary to enable the Director to administer the duties of the office as prescribed by law may hold hearings and shall have power to subpoena witnesses and compel their attendance, administer oaths and require the production for examination of any books or papers relating to any matter under investigation at any such hearing. . . .

d. Institute all proceedings and investigations, hear all complaints, issue all process and orders, and render all decisions necessary to enforce the provisions of the Act; of the rules and regulations adopted thereunder, or of any municipal consents issued pursuant to the Act.

In addition, as provided in N.J.A.C 14:18-3.3 each cable television company shall, upon request, furnish its customers with such information as is reasonable, in order that the customers may obtain safe, adequate, efficient and economical service. Also applicable are the rules promulgated by the Federal Communications Commission ("FCC") regarding customer service obligations, as outlined in 47 C.F.R. § 76.309, which set forth additional standards cable operators must meet in the provisioning of service.

Furthermore, the aforementioned State and Federal rules are supplemented by commitments and conditions set forth by Order of the Board wherein an entity seeks approval or relief from the agency. In this instance, the Board's Order *I/M/O the Verified Joint Petition of Altice N.V. and Cablevision Systems Corporation and Cablevision Cable Entities for Approval to Transfer Control of Cablevision Cable Entities*, Docket No CM15111255 dated May 26, 2016, and the terms and conditions outlined therein guide the matter herein.

Merger Conditions and Obligations

In its merger petition[4] before the Board seeking approval and in responses to discovery, Altice asserted that the transaction will serve the public interest by promoting New Jersey customers' access to innovative, high-quality services at just and reasonable rates. Altice further contended that the merger would result in the Company: (a) investing heavily in and improving CCE NJ's network by pushing fiber deeper into the network, thereby eliminating active components in order to achieve lower failure rates; (b) introducing newer, more reliable, and more consumer-friendly customer premises equipment; and (c) investing in IT infrastructure and replacing legacy IT systems with more robust, easier-to-manage platforms, which will reduce

[4] By verified Petition filed on November 5, 2015, Altice N.V. ("Altice"), Cablevision Systems Corporation ("Cablevision"), and the Cablevision Cable Entities ("CCE") ("Cable Petitioners"), initiated a proceeding before the Board of Public Utilities ("Board"), pursuant to N.J.S.A. 48:5A-38 (Docket No. CM15111255). Altice, Cablevision, Cablevision Lightpath-NJ, LLC , and 4Connections, LLC concurrently also filed a separate verified Petition, pursuant to N.J.S.A. 48:2-51.1 and N.J.A.C. 14:1-5.14 requesting approval of the transfer of control to Altice of Lightpath and 4Connections, both indirect wholly-owned subsidiaries of Cablevision, and approval for Lightpath to participate in the financing pursuant to N.J.S.A. 48:3-9, and N.J.A.C. 14:1-5.9. (Docket No. TM15111256).

operational complexity and enable the company to better serve customers through improved service provisioning, billing, and incident management. Over time, as network reliability and IT infrastructure improves, Altice promised to redeploy resources as needed to ensure continued reliable service. Altice further stated that by providing access to Altice's larger scale, operational expertise, and capital resources, the transaction would allow the Company to build on its position as an innovative and dynamic competitor in the broadband, video and telecommunications markets and provide New Jersey consumers in the territory with a more robust competitive option for these services. The "additional scale" of Altice, it asserted, placed the merged company in a better negotiating position with suppliers and also enabled Altice to eliminate duplicative costs, and spread the fixed cost of developing additional innovative and competitive service offerings across a larger subscriber base not previously available.

In addition, Altice described the transaction once consummated would enhance the ability of Company and its subsidiaries to compete in the telecommunications marketplace in New Jersey through network investment, consumer-focused products and services, and innovative pricing and packaging, thus promoting competition and customer choice. Altice emphasized its intent to focus on providing world-class broadband Internet connectivity, video and voice service and accordingly would be fully committed to investing in the Company's network and offering New Jersey consumers the best quality and value in broadband Internet connectivity and video programming choices. In addition, Altice argued during the merger review that the transaction would serve to reduce vertical integration in distribution and programming while posing no horizontal harms, and would cause no competitive harms since no overlap was created between competing cable providers. Finally, Altice highlighted throughout the review that the merger provided a positive benefit as the transaction would result in a combined company that enabled enhanced efforts to increase broadband connectivity and Wi-Fi service deployment and over-the-top video services.

The merger filing resulted in a Stipulation of Settlement which included several conditions and obligations adopted by the Board upon its approval. Specifically, the Stipulation at page 5 provided for a Most Favored Nations Clause which states:

> *"Within sixty (60) days following the Closing, the Joint Petitioners will provide Board Staff and Rate Counsel with a copy of the final Orders and Settlement Stipulations from any State or other jurisdiction under which conditions are imposed on the Joint Petitioners, along with an analysis indicating and explaining the valuation of the customer benefits awarded in that jurisdiction as compared to the valuation of the customer benefits awarded in New Jersey, in each case, calculated on a per customer basis.*
>
> *In recognition of the risks to New Jersey of approving the Transaction before other jurisdictions, the Signatory Parties agree that in the event that the Joint Petitioners agree to and accept orders under which another state or jurisdiction obtains materially greater benefits in the aggregate than New Jersey pursuant to this Stipulation and order of approval, including but not limited to faster broadband speeds, more advantageous low-income broadband, low-cost broadband, network resiliency and improvement, employment commitments, or other per subscriber benefits, then New Jersey shall be protected because the Joint Petitioners shall provide equivalent benefits to New Jersey. The Joint Petitioners and Board Staff agree that the "most favored nation" provision ensures that the synergy savings associated with the Transaction are shared with New Jersey customers in a manner equivalent to that of other States or jurisdictions on a per subscriber basis and on the same time schedule as agreed or required in the State of New York."*

As part of the merger conditions, the Company also provided assurances in the Stipulation of Settlement that it will abide by applicable customer service standards, performance standards, and service metrics as delineated under N.J.A.C. Title 14, including but not limited to Chapters 3, 10 and 18, and N.J.S.A. 48:5A, including, but not limited to, requirements related to billing practices and termination.

Many of the complaints received question Altice's compliance with applicable regulations and the merger commitments agreed to by the Company in the Stipulation of Settlement. Based upon a review of the complaints received, and the concerns raised by multiple municipal officials and Altice customers, Staff, in order to evaluate the appropriate next steps in this investigation seeks the following information from Altice:

INFORMATION REQUESTS

Resiliency

1) Please provide information evaluating the current condition of the Company's infrastructure and its ability to provide reliable service to its customers.

2) Provide a list of redeployed resources provided throughout the system to ensure continued reliable service for each of the years from 2016 through 2021.

3) Provide an outline of the expenditures made by the company for infrastructure improvements for each of the years from 2016 through 2021.

Network Expansion

1) Calculations of monetary expenditures related to network expansions in New Jersey for each of the years from 2016 through 2021.

2) How these expenditures compare to those provided in New York as part of the merger conditions.

3) Information evidencing how the company has pushed fiber deeper into the network from 2016 through 2021.

4) Provide a list of IT infrastructure improvements the Company initiated for each of the years from 2016 through 2021.

Customer Care

1) Provide the number of customer service representatives in New Jersey by location and total for each of the years from 2016 through 2021 broken down by in-house and contract employees.

2) Provide information concerning customer service satisfaction surveys undertaken by the company for each of the years from 2016 through 2021.

3) Data representing how often the company engages in customer service training and field office trainings, and provide a copy of all procedure documents, training materials and

evaluation criteria used to instruct and measure employee knowledge of company procedures and fitness to perform their assigned work

4) How often are internet speed tests performed, at what location(s) they are taken and what findings have been rendered.

5) Provide data regarding field operations throughout the service territory from 2016 through 2021, including, but not limited to, the number of service calls conducted by system and total by year, number of repeat or multiple service calls conducted to address the same or similar problem by system and total by year, the number of service calls handled by system and total by year broken down by in-house employees and contractors, the number of service calls by system and total by year that resulted in a referral for outside plant work, the frequency which all such work is inspected and evaluated by the company for appropriateness and proper completion of the work performed.

6) Provide data regarding the process used in vetting and evaluating the experience and ability of contractors to perform all field assignments including the minimum standards necessary for a contractor to be approved to perform the field work assigned.

7) Provide data concerning the training and evaluation of in-house and contract field staff, including a copy of any and all standards imposed, training materials, and methods of testing and evaluating the success of the training, as well as the fitness of the staff to perform assigned field work.

Low Cost Broadband

1) Provide a per subscriber calculation of the low cost broadband benefit prescribed for each New Jersey customer.

2) How do the New Jersey program expenditures compare to the low cost broadband program expenditures in New York?

Free Broadband to Anchor Institutions

1) The number of New Jersey organizations receiving free broadband since the merger.

2) How does the number of New Jersey organizations compare to the forty (40) locations added in New York as part of the merger agreement?

New Technology

1) What steps has the Company taken to avail its customers of the technological advances impacting the services offered?

2) What new technology upgrades and network investments have been made since 2016?

3) List enhanced efforts to increase broadband connectivity and Wi-Fi service deployment and over-the-top video services employed from 2016 through 2021.

Agenda Date: 4/27/21
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Company Expenditures – Customer Service & Plant Maintenance

1) What was the total customer service expense by year, from 2016 through 2021?

2) What was the total Field Service expense by year, from 2016 through 2021?

3) What was the total plant maintenance expense by year, from 2016 through 2021?

DISCUSSION

Careful consideration has been given to the complaints submitted and the comments and concerns of the Intervenors and Participants in this matter. Accordingly, the Board **HEREBY ORDERS** that Altice provide responses to the above cited requests within thirty (30) days of the date of this order. Upon receipt and analysis of the aforementioned data, the Board will evaluate the appropriate action with respect to enforcement of existing rules and regulations governing the services provided and what measures are necessary to ensure the continued provision of safe, adequate and proper services are rendered throughout the state.

The Order is effective on April 27, 2021.

DATED: April 27, 2021

BOARD OF PUBLIC UTILITIES
BY:

JOSEPH L. FIORDALISO
PRESIDENT

MARY-ANNA HOLDEN
COMMISSIONER

DIANNE SOLOMON
COMMISSIONER

UPENDRA J. CHIVUKULA
COMMISSIONER

ROBERT M. GORDON
COMMISSIONER

ATTEST:

AIDA CAMACHO-WELCH
SECRETARY

Agenda Date: 4/27/21
Agenda Item: 3A

IN THE MATTER OF REQUESTS FOR AN INVESTIGATION INTO THE OPERATIONS OF ALTICE USA IN NEW JERSEY - DOCKET NO. CX21020139

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Exhibit 5

March 17, 2021 Meeting Minutes

UTILITY ADVISORY TASK FORCE
Meeting Minutes
March 17, 2021 - 7:00 PM
Warren Craft Meeting Room

The mission of the Utility Advisory Task Force is to assess the level of communication and service from the utility companies providing services to Bernards Township, identify areas of concern and in need of improvement, suggest ways to collect and report chronic outages and disruptions, facilitate and/or coordinate resident feedback to the Board of Public Utilities, and represent Bernards Township customers before the BPU when appropriate.

Present: Edelstein, Estrin, Fields, Fischer, Guibord, Romano, Shah
Absent: Monaco, Neiman, Robina

1. **Call to Order**
2. **Flag Salute**
3. **Open Public Meeting Statement**
4. **Approval of Minutes**

   The February 17, 2021 meeting minutes were approved as submitted
5. **JCP&L Presentation – Maintenance, Field, and Inspection Plan (Bob Flynn)**

   Mr. Flynn from JCP&L gave a reliability presentation. He reported that preventative maintenance circuit inspections occur every 5 years, wood pole inspections every 10 years and vegetation trimming every 4 years. Preventative maintenance inspections are also performed at the substations. JCP&L monitors worst performing circuits when assessing where the most outages occur. Pad mounted boxes are periodically inspected and must remain clear of obstructions within 10 feet for access. The electric distribution lines have fuses that will open if there is a problem.

   Mr. Flynn reported that there are 9 locations within Bernards Township that have tripsaver switches, which are part of a new statewide program. These switches are designed to redirect and restore power automatically. They have been installed in areas that have historically had more outages. There is an overarching plan to proactively improve switching. The Martinsville/Basking Ridge border has a new substation serving 5000 people. Transmission lines and substations are the first priority for service restoration

during an outage, then service to critical customers such as hospitals and life-support locations, then service to highest-customer concentrations, and then service to traditional customer areas. Safety remains the number one priority during outages and all other field operations.

Mr. Flynn discussed and emphasized the importance of effective and efficient customer communications when outages occur, and described elements of JCP&L's outage communications program, lessons learned, and its ongoing efforts to improve those communications. Mr. Flynn noted that as more customers report a particular outage, the higher the restoration priority becomes, so it is important that every customer report their outage. He also reviewed internet and mobile tools residents can use to report outages and get outage restoration information and updates.

There was a Q&A session that included the following discussions:

i. Whether there are more capital improvement projects scheduled for our town. Mayor Fields summarized improvements that have been made thus far. Mr. Guibord explained the relationship between JCP&L and the BPU. Ms. Shah questioned if the new switching technology will be added elsewhere in the town.

ii. The dispatch of line repair trucks was discussed. Mr. Flynn reported that dispatch communication methods and response times are being reviewed and improved upon internally. In response to a question, he noted that there is a section of the JCP&L website where customers can request inspections of trees on their property for their potential impact to wires. Mr. Edelstein suggested methods for bringing to JCP&L's attention utility poles of questionable structural integrity. Mr. Flynn welcomed that input.

6. Altice USA/Optimum Update

a. NJBPU March 16th Hamilton/Robbinsville Hearing

Mr. Guibord provided an update on the five-hour March 16th BPU virtual hearing. He reported that hearing commenters often complained that Altice corporate management is not giving Optimum customer service

and field technicians the training, resources and equipment they need to address and correct internet service problems. He highlighted the topics of comment by 54 municipal officials and residents from 25 towns, including inadequate service (slow internet speeds), unreliable service (frequent interruptions and outages), repetitive and ineffective repairs, missed and cancelled service calls, poor customer service, poorly trained service technicians, antiquated and faulty equipment and installations, unjustified pricing increases, discriminatory pricing, and lack of competition. He noted that many of these issues are the same as the variety of Optimum service issues and complaints in Bernards Township. Mayor Fields said she informed Ms. Davis of Altice that if the work promised in Bernards Township is not completed as agreed, the Township will file with the BPU as well. Ms. Shah shared that she had a technician come to her home for a service call. Service was restored while he was in the home, but when he left the speeds went back down. There was further discussion about routers, extenders and modems. Mr. Edelstein and Mr. Guibord discussed how the BPU might impose fines on cable companies for failing to provide adequate and reliable service.

b. The Hills

Mr. Estrin explained there are 22 condo associations within The Hills that need to grant approval before internet providers can perform work. In the past, there have been issues about restoring excavated areas and landscaping to their pre-excavated condition. Mr. Guibord reported that the Altice/Optimum work on three nodes to improve internet service in The Hills is scheduled to be completed in the next 2-3 weeks.

7. Resident Survey Update

The survey is ready for distribution. Mr. Fischer has further refined the format. We will wait until one week after the Optimum service upgrades in The Hills are completed to send out the survey. Ms. Shah asked about how the link for the survey would look when it goes out. Mayor Fields said the survey will be distributed via Rave services. Ms. Shah suggested we put together a scripted note

for distribution. Mr. Guibord provided suggested language. Mayor Fields will make mention of the Utility Advisory Task Force in her next letter. Mr. Robina is working on a press release. Ms. Shah, Mr. Guibord and Mr. Fischer discussed how survey data will be compiled and analyzed.

8. **Public Comment**

   None

9. **April Meeting Agenda**

   Ms. Romano requested that the Task Force at its April meeting recommend in its report to the Township Committee that all residents be notified of the importance of everyone reporting their power outage, as noted earlier by Mr. Flynn.

10. **Comments by Members**

    None

11. **Adjournment**

    The meeting adjourned at 9:12 PM.

Exhibit 6

NJAWC PowerPoint Presentation

NEW JERSEY
AMERICAN WATER

Bernards Township
Utility Advisory Task Force

April 21, 2021

Who We Are: New Jersey American Water

NEW JERSEY AMERICAN WATER

New Jersey American Water is the largest investor-owned water and wastewater service provider in the State of New Jersey.

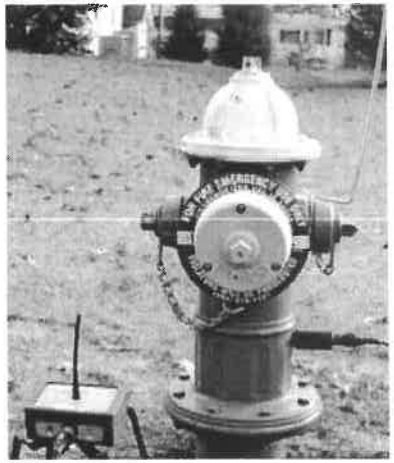
Our approximately 840 employees serve:

- Approx. **2.8 million people** in 18 counties
- **657,000 water service customers:**
  91% residential
  9% commercial and industrial
- **54,900 wastewater service customers**

Proactive Infrastructure Management & Stewardship

NEW JERSEY AMERICAN WATER

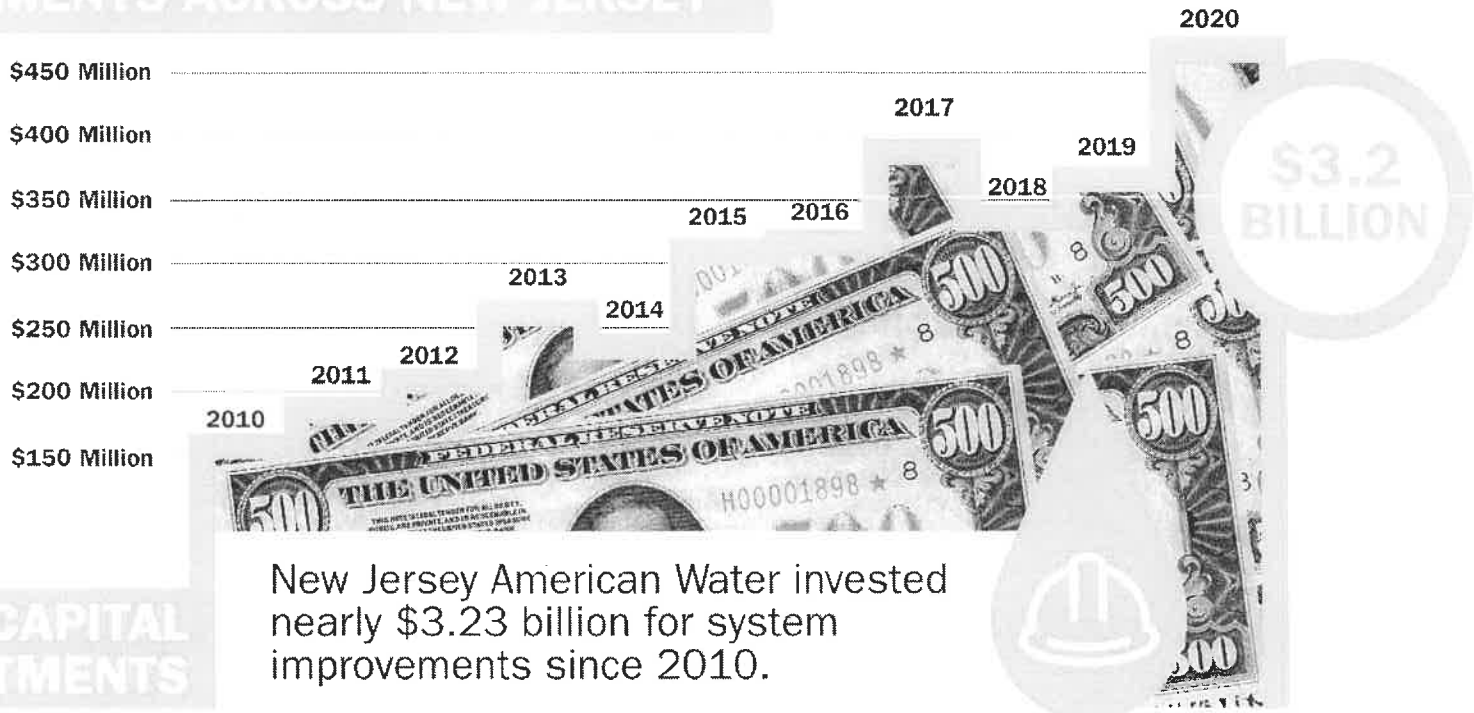
- Hydrant Flushing
- Blowoff Flushing
- Valve Inspection
- GIS
- Leak Detection



We're Invested in New Jersey

NEW JERSEY AMERICAN WATER

MAKING IMPORTANT CAPITAL INVESTMENTS ACROSS NEW JERSEY



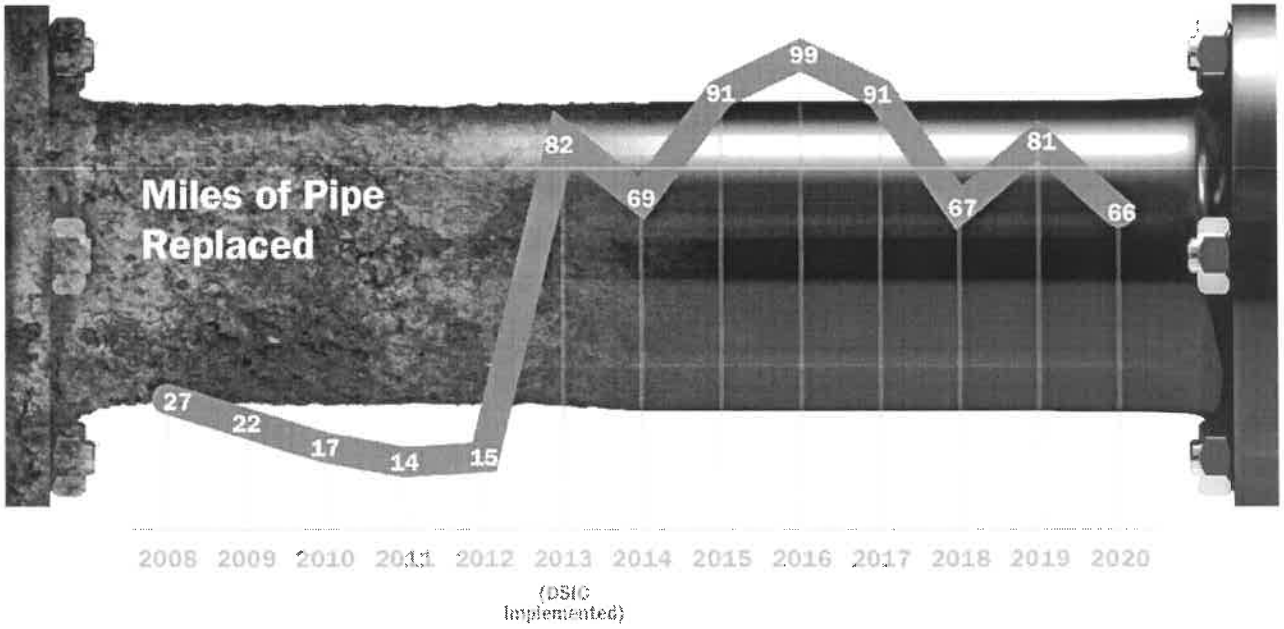
CAPITAL INVESTMENTS

New Jersey American Water invested nearly $3.23 billion for system improvements since 2010.

Main Replacements

NEW JERSEY AMERICAN WATER

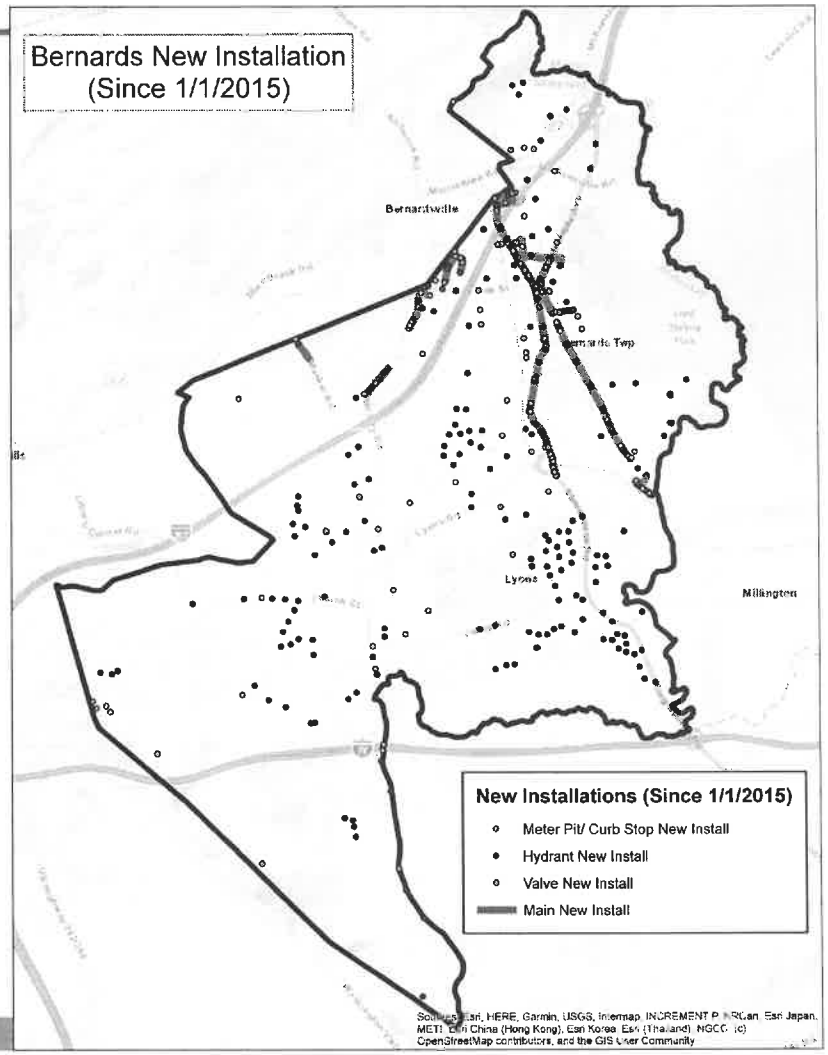
More than 741 miles of main replaced since 2008



Investment in the Township

NEW JERSEY AMERICAN WATER

Description	Pipe (LF)	Size	Year	Cost in $Million
S Maple from Hilltop to Prospect	8,100	8" & 20"	2018	$2.40
Mt Airy Rd from Pill Hill (W Oak) to Countryside	2,370	12"	2019	$0.72
Orchard Pl & Southard Pl	1,950	8"	2019	$0.38
N & S Maple - Prospect to Craig	4,680	20"	2019	$1.75
Lyons Rd from Lyons Pl to Goltra Dr	6,420	16"	2020	$2.80
Martinsville Rd across Rte 78 (structural C&L)	281	16"	2020	$0.35
Mt. Airy Rd. Between Meeker and Stacy	1,800	12"	2020	$0.73
North Finley Avenue (from Monroe Place to Morristown Road), Monroe Place (from Ellis Drive to North Finley Avenue), Ellis Drive (from East Craig Street to Monroe Place), and East Craig Street (from North Maple Avenue to Ellis Drive)	6,320	16"	2020	$2.30
Valley Rd - Passaic River (LH Twp) to tank easement west of Elizabeth ph 1	2,100	16"	2021	$1.30
	34,021 (6.4 miles)			**$ 12.73**



Customer Service - 800-272-1325

NEW JERSEY AMERICAN WATER

FIVE CONVENIENT PAYMENT OPTIONS

AUTO PAY
(no stamps required)

ONLINE

MAIL

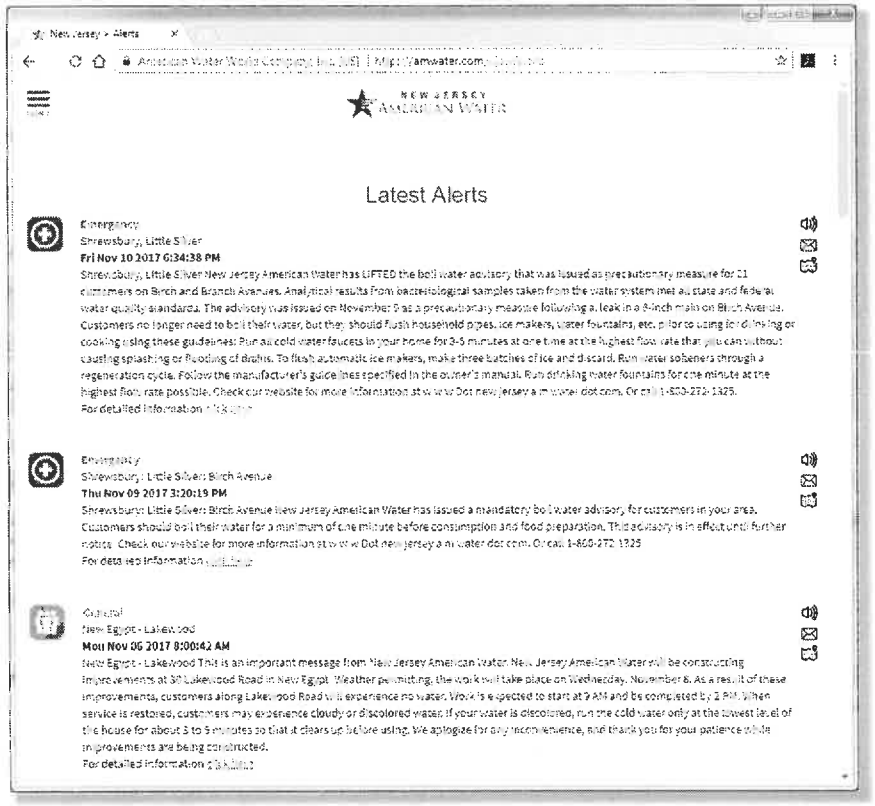
PHONE

IN PERSON

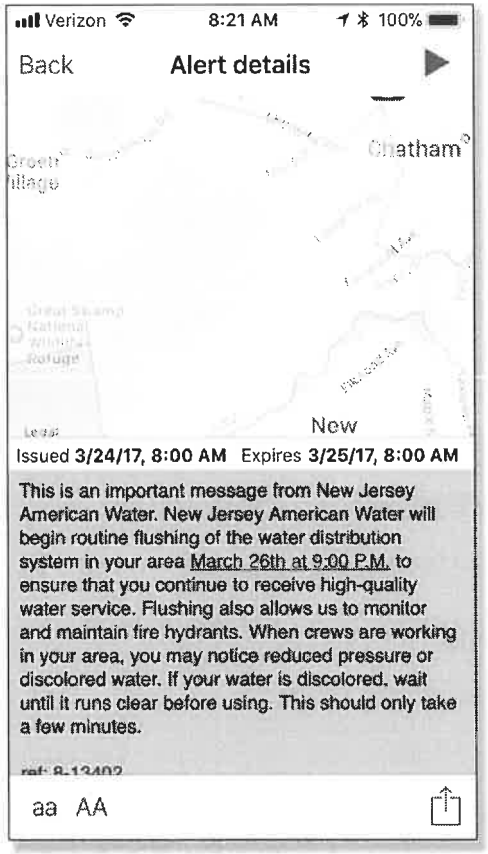
- **24/7 customer service for emergencies and 24/7 online emergency reporting**
- **Non-emergencies, Mon-Fri, 7 a.m. – 7 p.m.**
- **Emergency alert notification system - phone, email and/or text**
- **Newly redesigned mobile friendly website** (newjerseyamwater.com)
- **MyWater online account management portal** (myaccount.amwater.com) View/pay your bill, enroll in Paperless Billing and Auto Pay, check your account balance, update your contact information, sign up to receive alerts, and more.
- **Paperless billing**

Service Alerts

NEW JERSEY AMERICAN WATER



https://amwater.com/njaw/alerts



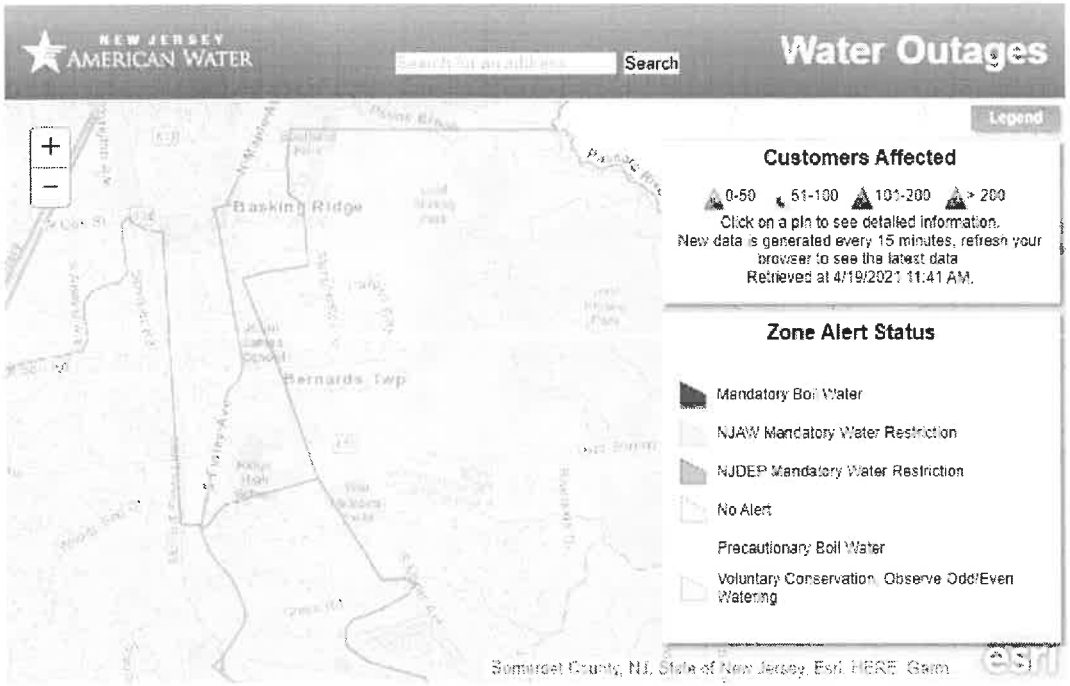
CodeRED App

Upcoming Hydrant Flushing

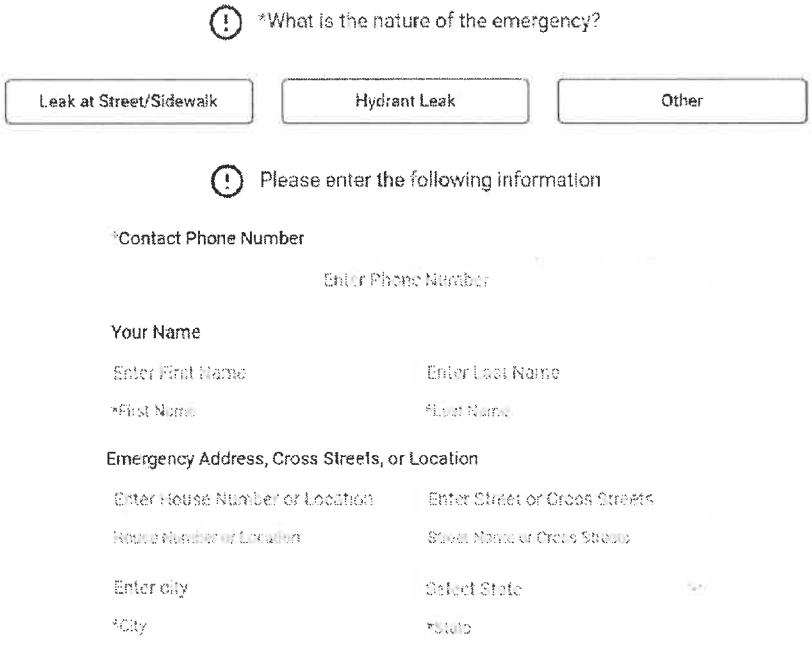
- **May 10-14**
- **May 17-21**

Emergencies & Main Breaks

NEW JERSEY AMERICAN WATER



https://wateroutages.awapps.com



https://emergency.amwater.com

NEW JERSEY AMERICAN WATER

Thank you

Exhibit 7

April 21, 2021 Meeting Minutes

UTILITY ADVISORY TASK FORCE
Meeting Minutes
April 21, 2021 - 7:00 PM
Warren Craft Meeting Room

The mission of the Utility Advisory Task Force is to assess the level of communication and service from the utility companies providing services to Bernards Township, identify areas of concern and in need of improvement, suggest ways to collect and report chronic outages and disruptions, facilitate and/or coordinate resident feedback to the Board of Public Utilities, and represent Bernards Township customers before the BPU when appropriate.

Present: Edelstein, Estrin, Fields, Fischer, Guibord, Romano, Shah
Absent: Monaco, Neiman, Robina

1. **Call to Order**
2. **Flag Salute**
3. **Open Public Meeting Statement**
4. **Approval of Minutes**

   The March 17, 2021 meeting minutes were approved as submitted.

5. **NJAWC Presentation – Maintenance, Field, and Inspection Plan**

   Mike Malloy from the New Jersey American Water Company ("NJAWC") made a presentation to the Utility Advisory Task Force ("Task Force"). Mr. Malloy reported on NJAWC's proactive infrastructure management program which includes:

   - Hydrant flushing every 3rd year.
   - Blowoff flushing of dead ends.
   - Valve inspections done on a rotating basis over a 4-year period.
   - GIS (Geographic Information Systems) tracking of all "assets" owned by NJAWC to identify problems.
   - Leak detection performed by 2 dedicated staff members.

   He reported that, statewide, NJAWC invested nearly $3.23 billion in system improvements since 2010 and replaced more than 740 miles of water mains since 2008, installing larger mains where necessary. NJAWC serves over 2.8 million people in 18 counties. He stated that NJAWC has replaced over 6.4 miles of water lines in Bernards Township (Township") since 2018 at a cost of $12.73 million. In answer to Ms. Shah's question, he said NJAWC does not provide sewerage service in the Township other than one section of the Hills development.

   He discussed various aspects of NJAWC's customer service program and activities, including the wealth of information and customer support provided

through their toll free number, website, emails, texts and bill inserts. Ms. Shah asked about water quality testing and whether there are alerts for poor water quality. Mr. Malloy replied that they constantly monitor water quality and would issue an alert if there were a water quality health issue, and also notify the NJ Department of Environmental Protection. Contacts with township officials would also occur, as well as alerts through their automated phone, email and texting system. Mr. Edelstein noted that water consumption is billed in 1,000 gallon increments and questioned how to determine the true number of gallons actually consumed. Mr. Malloy offered guidance but agreed that since usage is metered and billed in 1,000 gallon increments, actual gallon consumption is difficult to determine. Mr. Estrin questioned whether NJAWC checks to see if snow has been removed around hydrants. Mr. Malloy replied that NJAWC does not perform that service.

Mr. Malloy reported that the Raritan-Millstone water treatment plant services the Township and there is redundancy at other plants to service water to the Township if necessary. He said that the water report for the Township is based on the Short Hills reservoir and that report is available on the NJAWC website. Ms. Shah asked again about the sewerage service in the Hills and if there are similar notifications for sewerage issues as water issues. Mr. Malloy explained that the state wide monitoring for sewerage is headquartered in the Hills. Mayor Fields asked why the Hills is separate for sewerage service, and Mr. Malloy explained it was because NJAWC took over the Hills sewerage system that had been owned and operated by the Hills developer.

Mayor Fields asked how residents can get their water tested. Mr. Malloy stated that any resident can request a water test by NJAWC through their 800 number or website.

6. Altice USA/Optimum Update – The Hills

Mr. Guibord said he was informed by Ms. Davis of Optimum that Optimum would be completing two node splits in the Hills this week, leaving one node left to be split.

7. Resident Survey Update

Mayor Fields reported that the Township Committee had reviewed the survey. Ms. Shah asked how long the survey would be available to residents and the time frame to tabulate the results. The Task Force decided to send out the survey 1 week after the node work in the Hills is done and leave it open for 3 weeks for residents to complete. Mr. Guibord will draft a flyer/press release for review by Mayor Fields. The Task Force discussed using multiple venues to circulate the survey (Hills Highlands Master Association, Township website, Rave, Patch, Bernardsville News, Friday school folders, Facebook, Nextdoor) and Ms. Shah and Mr. Fisher discussed methods for processing the survey results. Mr.

Guibord suggested the Task Force have a group phone call at the time of survey distribution.

8. Public Comment

None

9. May Meeting Agenda

Mayor Fields stated that she will arrange to have a Township Sewerage Authority representative give a presentation at the May meeting.

10. Comments by Members

None

11. Adjournment

The meeting adjourned at 8:20 PM.

Exhibit 8

May 19, 2021 Meeting Minutes

UTILITY ADVISORY TASK FORCE
Meeting Minutes
May 19, 2021 - 7:00 PM
Warren Craft Meeting Room

The mission of the Utility Advisory Task Force is to assess the level of communication and service from the utility companies providing services to Bernards Township, identify areas of concern and in need of improvement, suggest ways to collect and report chronic outages and disruptions, facilitate and/or coordinate resident feedback to the Board of Public Utilities, and represent Bernards Township customers before the BPU when appropriate.

Present: Edelstein, Estrin, Fischer, Guibord, Romano, Shah
Absent: Fields, Monaco, Neiman, Robina

1. **Call to Order**
2. **Flag Salute**
3. **Open Public Meeting Statement**
4. **Approval of Minutes**

   The April 21, 2021 meeting minutes were approved as submitted.

5. **Bernards Sewerage Authority Presentation**

Tom Timko, Bernards Township Engineer and Director of the Bernards Township Sewerage Authority ("Authority") made a presentation to the Utility Advisory Task Force ("Task Force"). He reported that the Authority serves 75% of Bernards Township ("Township") and the other 25% (The Hills) is served by the New Jersey American Water Company. He described the collection system as being a combination of gravity mains and pumping stations. He reported that there are 110 miles of sewers, 3.5 miles of force mains and 11 pumping stations with generators. He said that the treatment plant can process up to 5 million gallons a day and is a 24/7 operation with staff on site 7 days a week. A monitoring system is used for overnight hours and there are 2,800 KW generators at the plant. The 2020 budget was 6 million dollars, of which 2 million was for capital improvements.

Mr. Timko said that the treatment process consists of 1) several stages of screening to remove large items that can harm the machinery, 2) waste pumped to oxidation ditches that hold 1.7 million gallons, and 3) further clarifying where various chemical levels are monitored, including phosphorus. Clear water is then discharged into the river and the remaining bulk waste or sludge is transported offsite via carting trucks. Mr. Guibord asked which river the clean water is discharged into and Mr. Timko replied it is the Dead River. Mr. Timko stated that the Authority operates at stricter standards than the state mandates. In response to a question from Ms. Shah, Mr. Timko stated that all treatment plants are ideally moving to ultraviolet light ("UV") treatment versus chemical treatment,

but it would cost the Township approximately 35 million dollars to convert to UV treatment.

Mr. Timko explained that during storms, rainwater and illegal sump pumps impact the amount of water flowing into the plant. Smoke and video inspections are done to find illegal hook ups. Maintenance on the system is based on the budget for the year, rather than a calendar-based approach. All pumping stations and the treatment plant have been updated and reflect current standards. Mr. Guibord asked how often bulk waste is trucked out. Mr. Timko replied daily. Ms. Shah asked if there were any issues historically with the treatment plant. Mr. Timko described a one-off event that caused the generators to run but not as quickly as they should have. Mr. Guibord asked how long the generators at the plant could run. Mr. Timko said they will run as long as there is fuel for them and added it would be beneficial if the Authority could leverage solar fields in the Township. Mr. Edelstein asked about solar fields in the Township.

6. Altice USA/Optimum Update – The Hills

Mr. Guibord reported that Marilyn Davis of Optimum advised that on May 13 the internet service upgrades in The Hills were completed.

7. Resident Survey Update

Mr. Guibord said that the survey is ready to go out. The Board of Education is going to put the survey in the virtual School District Friday Folders. The survey will be announced in the Bernardsville News, Patch, Rave, TAPinto Basking Ridge and Facebook. Nextdoor was discussed but determined to be repetitive of others. Ms. Shah said she would post the survey on some Facebook groups and WhatsApp. Mr. Estrin will post the survey with the Hills Master Association. Mr. Fisher will do the same with the Cedar's and Society Hill's management associations. Ms. Shah questioned how quickly we could send the survey out. Mr. Guibord replied that it could go out tomorrow and tonight he would send everyone the link to the survey for distribution.

8. Task Force Report

Mr. Guibord stated that, having spoken to Mayor Fields, the June Task Force report to the Township Committee ("TC") will be a progress report, and any findings and recommendations to be made to the TC will be in a later report.

9. Public Comment

None

10. June Meeting Agenda

A PSE&G representative will make a presentation to the Task Force in June. Mr. Edelstein questioned when an Optimum representative would attend a meeting, and Ms. Shah recommended that a Verizon representative also attend a meeting.

11. Comments by Members

None

12. Adjournment

Meeting Adjourned at 7:55

Exhibit 9

Survey Announcements

BERNARDS TOWNSHIP
CHARTERED 1760

(908) 766-2510

1 Collyer Lane
Basking Ridge, NJ 07920

Online Services
Payments / Recreation

SDL Portal Login

Download selected

FolderUtility Advisory Task Force Documents

- pdfUtility Advisory Task Force Update 03/13/2021
- pdfUtility Advisory Task Force Statement 02/09/2021
- pdfMoratorium on Utility Service Disconnections
- **pdfInternet Service Survey for Bernards Township Residents**

Internet Service Survey for Bernards Township Residents

Local Mailboxes/ (Gmail)/Bernards Utility Advisory Task Force/Press Release
Updates

Bernards Twp Municipal Clerk Thu, May 20, 1:30 PM (13 days ago)

to Bernards

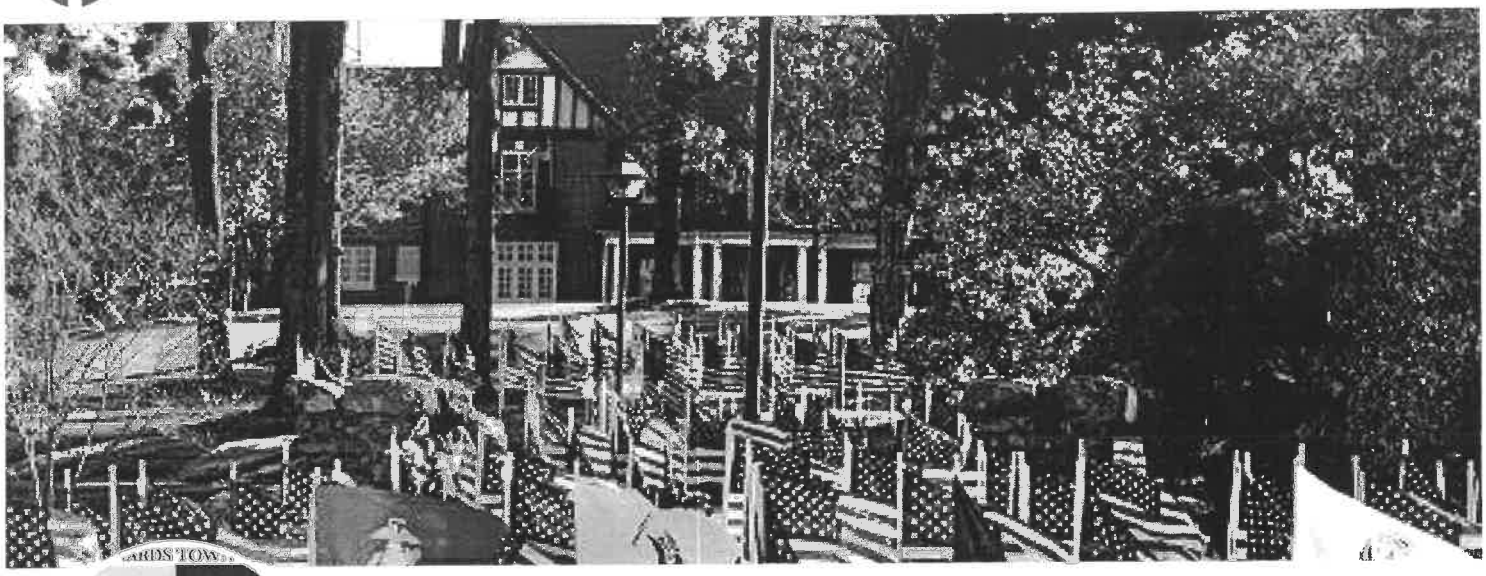
On January 5, 2021, the Bernards Township Committee established the Bernards Township Utility Advisory Task Force to, among other things, assess the level of utility service in the Township and identify areas of concern and in need of improvement. To help us do that, the Task Force has developed an internet service survey for residents to complete. Once we receive and evaluate the survey responses, we will report our findings and recommendations to the Township Committee. If you would like to participate, please click the following link to complete the survey:

https://forms.gle/TLZAhCpCAQVXfuUR9

If there are any issues opening the survey link, please visit bernards.org home page to view the survey.

Thanks for your support in improving internet service in Bernards Township.

This email has been sent by the Rave Alert System on behalf of Bernards Township. To sign up or change your alert settings go to: https://www.smart911.com/smart911/ref/reg.action?pa=bernards



Bernards Township

@BernardsTwp · Government Organization

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bernards.org

Home About Photos Videos More Like

About

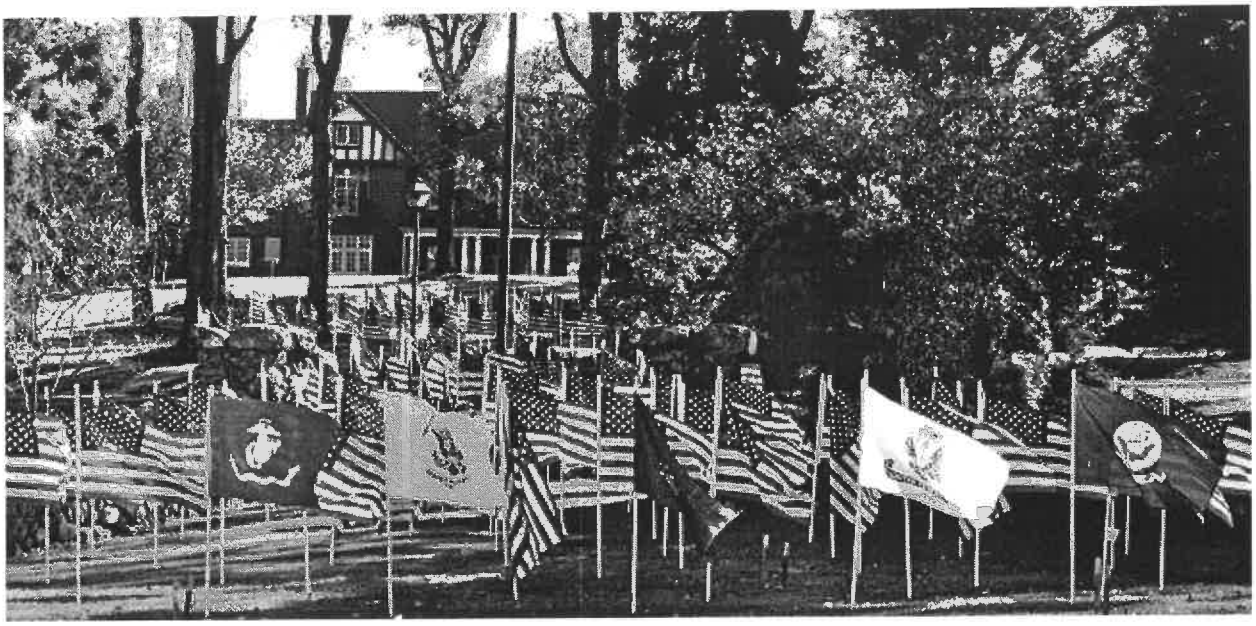
See All

Administration Building, 1
Collyer Lane Basking Ridge,
NJ 07920

The official facebook page for Bernards Township NJ

2,811 people like this including 6 of your friends

3,149 people follow this



Bernards Township

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bernards.org

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Internet Service Survey for Bernards Township Residents
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Thanks for your support in improving internet service in Bernards Township.
Scott Guibord, Chairman
Bernards Township Utility Advisory Task Force
If there are any issues opening the link on Facebook, please visit bernards.org home page to take the survey.

Friday Folders

Please click here to sign up to receive the District Friday Folder.

Friday Folder Deadlines & Guidelines

District Friday Folder - May 28, 2021

2021-22 Subscription Busing Letter - Due June 30th
Shop and Support Liberty Corner School May 29th
Summer Teen Experience at Somerset Hills YMCA
Internet Service Survey for Bernards Township Residents
Curbing Hunger Food Drive 2021
Class Act Drama Camp
BT Environmental Commission Reusable Bag Design Challenge
BT Library Teen Programs June 2021
Morristown Festival of Books 2021 Teen Writing Contest
Ridge Dance Collective Informational Meeting 2021-2022
Strictly Strings Summer Music Camp 2021
17th Annual Ridge High School Golf Classic
Doctors Without Borders Message from Co-President
Doctors Without Borders India Covid Relief Outreach

101 Peachtree Road, Basking Ridge NJ, 07920 | (908) 204-2600 | 8:00AM - 4:00PM | Guest | Login | Search...

Accessibility Statement
Website by SchoolMessenger Presence. © 2016 Intrado Corporation. All rights reserved.

Internet Service Survey for Bernards Township Residents

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Thanks for your support in improving internet service in Bernards Township.

Scott Guibord, Chairman
Bernards Township Utility Advisory Task Force

https://www.newjerseyhills.com/bernardsville_news/news/bernards-township-seeks-feedback-on-internet-service/article_cd735f76-f288-501e-b7c6-59cdeac022bd.html

BERNARDS TOWNSHIP COMMITTEE

Bernards Township seeks feedback on Internet service

May 29, 2021

BERNARDS TWP. – In its effort to address long-running complaints about local Internet service, the township is asking residents to respond to an online survey.

The survey has been put out by the Utility Advisory Task Force, which the Township Committee appointed in January to assess the level of communication and service from the electric, Internet/cable TV and water providers.

Much of the focus has been on the Internet service provided by Altice Optimum. Some sections of the township are also offered competing service from Verizon FiOS.

In response to complaints, Altice in February began the process of splitting up "nodes" – each of which serve a certain number of homes – in a move designed to speed up its Internet service.

The targeted nodes included five in the township and two in neighboring Bedminster Township. Of the five here, three are in The Hills development and two are in the area of the Society Hill development off Valley Road.

The last split was completed in mid-May, leading the task force to launch its survey. At the Township Committee meeting on May 11, Mayor Janice Fields, who serves on the task force, said some people were reporting better speeds after the node splitting.

The survey has been posted on the municipal web site, www.bernards.org, via links to "Boards" and then "Utility Advisory Task Force."

At the Township Committee meeting on Tuesday, May 25, Mayor Fields implored residents to participate.

"This survey will identify areas of concern and proposed improvements that are needed," Fields said.

Task force members are "working on doing something about our Internet service, and this will provide an avenue for us to do that."

Task force member Todd Edelstein reiterated that message later in the meeting. "The more surveys we get, the better it will be," he said. "If it's good or bad service, we want it all."

The task force is scheduled to hold its next meeting at 7 p.m. Wednesday, June 23, at town hall on Collyer Lane. It must report its findings and recommendations to the Township Committee no later than Wednesday, June 30.

FW: Hills Highlands eMail Bulletin - Bernards Twp Internet Service Survey

Local Mailboxes/ (Gmail)/Bernards Utility Advisory Task Force/Press Release

Michael Estrin Thu, May 20, 12:30 PM (13 days ago)

to me

From: hillshighlands@yourcommunitybulletins.com <hillshighlands@yourcommunitybulletins.com>
Sent: Thursday, May 20, 2021 11:52 AM
To: Michael Estrin <michael@Estrin.co>
Subject: Hills Highlands eMail Bulletin - Bernards Twp Internet Service Survey

Internet Service Survey
for
Bernards Township Residents

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To help us do that, the Task Force has developed an internet service survey for residents to complete. Once we receive and evaluate the survey responses, we will report our findings and recommendations to the Township Committee.

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Thanks for your support in improving internet service in Bernards Township.

Scott Guibord, Chairman

Bernards Township Utility Advisory Task Force

Please click HERE to visit the Hills Highlands web site.

ReplyForward

TAPinto Basking Ridge
Your Neighborhood News Online

Bernards Utility Committee Surveying Residents To Rate Internet Service

By LINDA SADLOUSKOS
May 21, 2021 at 9:55 PM

BERNARDS TWP., NJ _ With students logging on every day, and more residents than ever working from home during the COVID-19 pandemic, internet service throughout the township became even more important _ and some residents told the Bernards Township Committee that they were less than satisfied with the service and options available in town.

In response, on January of this year, the Bernards Township Committee appointed the Bernards Township Utility Advisory Task Force, originally approved by the governing body last October. The primary mission given to the task force was to assess the level of utility service in the Township and identify areas of concern. and in need of improvement.

Survey created to ask residents to assess their internet service

Sign Up for Basking Ridge Newsletter
Our newsletter delivers the local news that you can trust.
Email Address * Subscribe

This site is protected by reCAPTCHA and the Google Privacy Policy and Terms of Service apply.

To help meet that goal, the task force has developed an internet service survey for residents to complete. Once the survey responses are received and evaluated, the task force will report its findings and recommendations to the Bernards Township Committee.

Residents who would like to participate should click the following link to complete the survey: https://forms.gle/TLZAhCpCAQVXfuUR9

The online survey was issued on Thursday of this week. The advisory board anticipates to have the survey open for three weeks, according to township information.

The survey asks respondents from each household such questions as whether they routinely lose internet service on a weekly basis, and for how long.

Asking for a rating between very satisfied and very dissatisfied, the survey asks for residents to rate their service, and to give their reasons for the rating.

Scott Guibord, chairman of the advisory task force, issued a thanks to participating residents for helping to improve internet service in Bernards Township.

Gmail Search mail

(no subject) Inbox ×

pritiashvinshah@yahoo.com
to Corey, Donna, Mike, me, Todd

In Basking Ridge Moms, it was posted on May 20th.-

Internet Service Survey for Bernards Township Residents

Bernards Township
May 20 at 2:39 PM ·

Internet Service Survey for Bernards Township Residents

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Thanks for your support in improving internet service in Bernards Township.

Scott Guibord, Chairman
Bernards Township Utility Advisory Task Force

If there are any issues opening the link on Facebook, please visit bernards.org home page to take the survey.

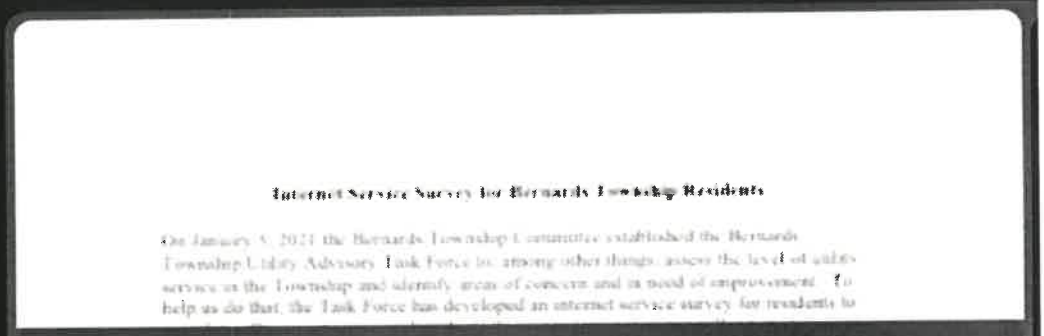
1 4 Comments

Like Comment

8:22 PM Wed Jun 2

web.whatsapp.com

48%



Internet Service Survey for Bernards Township Residents

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PDF Survey Announcement Press Rel...

1 page · PDF · 10 kB 5:08 PM

Please fill out the survey multiple times so we can gather data throughout the week. The more accurate data would come from using an ethernet cable connected between modem and (desktop/laptop). There is a question asking how you provide the data. You can forward the link to anyone who lives in Basking Ridge. The more data we have, we can share our concerns with internet providers.

5:15 PM

Neighbor News - **PATCH**

Bernards Township Resident Internet Survey

Bernards Township Resident Internet Survey

- **Scott Guibord,** Neighbor
- Posted Tue, Jun 8, 2021 at 3:01 pm ET|

Reply

Internet Service Survey for Bernards Township Residents
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